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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT CHARLES CRIST,

Defendant.

CASE NO. 2:22-CR-229-DC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
[PROPOSED] FINDINGS AND ORDER

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status before the Honorable Daniel J. Calabretta on October 8, 2024.

2. On October 8, 2024, this matter was reassigned to the Honorable Dena Coggins, and all court dates previously set before Judge Calabretta were vacated. ECF No. 85.

3. Thus, by this stipulation, the parties now move to continue the status conference until November 15, 2024, and to exclude time between October 8, 2024, and November 15, 2024, under Local Code T4.

4. The parties agree and stipulate, and request that the Court find the following:

a) Current counsel for defendant began representing him on July 24, 2023.

1 b) On September 1, 2023, the government produced approximately 330 pages of
2 additional discovery, consisting primarily of lab reports.

3 c) In April 2024, the defendant was involved in an accident on his property,
4 requiring his hospitalization, treatment, and a series of surgeries.

5 d) The defendant has a pending pretrial services violation petition. Nevertheless, the
6 parties agree that this stipulation and proposed order is necessary to set a court date in this matter
7 and to exclude time under the Speedy Trial Act.

8 e) Counsel for defendant desires additional time to review the additional discovery,
9 consult with her client, and otherwise prepare for trial.

10 f) Counsel for defendant believes that failure to grant the above-requested
11 continuance would deny him/her the reasonable time necessary for effective preparation, taking
12 into account the exercise of due diligence.

13 g) The government does not object to the continuance.

14 h) Based on the above-stated findings, the ends of justice served by continuing the
15 case as requested outweigh the interest of the public and the defendant in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 i) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
18 et seq., within which trial must commence, the time period of October 8, 2024 to November 15,
19 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
20 T4] because it results from a continuance granted by the Court at defendant's request on the basis
21 of the Court's finding that the ends of justice served by taking such action outweigh the best
22 interest of the public and the defendant in a speedy trial.

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1 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

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7 Dated: October 9, 2024

PHILLIP A. TALBERT
United States Attorney

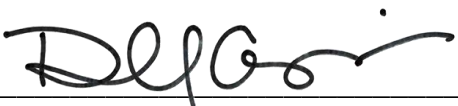
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9 /s/ EMILY G. SAUVAGEAU
EMILY G. SAUVAGEAU
Assistant United States Attorney

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12 Dated: October 9, 2024

/s/ LINDA HARTER
LINDA HARTER
Counsel for Defendant
ROBERT CHARLES CRIST

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17 IT IS SO ORDERED.

18 Dated: October 9, 2024

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Dena Coggins
United States District Judge